

SENATOR CHAMBERS: Yes. Madam President and members of the Legislature, if you will turn to your book, although it may not be necessary because I'm going to explain it, but if you look in the bill book you will see what it is that I'm attempting here. On page 615 of the Journal, as pointed out by the Clerk, is the actual language of the amendment, and it goes to page 4. This is again where we're talking about these firearms. Some of the difficulty created in the way this bill is drafted is that a lot of underbrush and extraneous material has been added to a bill whose design, when it was being discussed months ago, was to deal with problems confronting juveniles and the impact of their antisocial conduct on society at large. But as the drafting of this bill proceeded, I think some people saw the opportunity to turn it into a chance to grab political headlines by saying that it's really a bill that's going to attack and solve juvenile crime. Whenever a political approach is taken to one of these serious, social issues, there are complications, such as the kind that I'm trying to strip away, which will creep in. So what this amendment is designed to do is clean up the language that is in the bill right now, and we're on the green copy. Currently that language says, quote, "Any firearm in the possession of a person in violation of Section 28-1204, or Section 5 of this act shall be confiscated and held by a peace officer or other authorized law enforcement officer. When such firearm or weapon is no longer required as evidence, it shall be destroyed." The purpose of my amendment, and then I'll tie in the language, is to indicate and make it clear that if a confiscation occurs the weapon is not kept and retained by the officer, but rather by the agency which employs the officer. This should not be controversial at all. But even when certain types of evidence are placed in the property room at the police station, it comes up missing. Since we're talking about juveniles or people who will be viewed as juveniles and weapons will be taken from them, often those weapons may be very expensive, exotic and the type of thing that an officer may feel a great temptation to own. So after the weapon has been confiscated, it is to be turned over to the agency for which the officer works. And I don't think that's controversial at all. The next sentence says, when such firearm or weapon is no longer required as evidence, it shall be destroyed. There are situations in which a person may be arrested as being a juvenile possessing a weapon in violation of Section 28-1204, and the person may turn out not to be a juvenile. But since the arrest was for violation of this section, even though there was an acquittal or a dropping of charges, the weapon would be kept and